

Message

From: Beeler, Cindy [Beeler.Cindy@epa.gov]
Sent: 11/19/2018 3:48:58 PM
To: North, Alexis [North.Alexis@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]
Subject: RE: Waiving reports under NSPS

OK – thanks to you both.

Cindy Beeler
US EPA Region 8
Tel: 303-312-6204
Beeler.Cindy@epa.gov

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From: North, Alexis
Sent: Monday, November 19, 2018 8:29 AM
To: Beeler, Cindy <Beeler.Cindy@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>
Subject: RE: Waiving reports under NSPS

Ex. 5 Deliberative Process (DP)

Alexis North, Environmental Scientist
Office of Enforcement, Compliance & Environmental Justice
EPA Region 8
1595 Wynkoop Street (8ENF-AT)
Denver, CO 80202-1129
Phone: 303-312-7005
Email: north.alexis@epa.gov

From: Beeler, Cindy
Sent: Monday, November 19, 2018 8:08 AM
To: Patefield, Scott <Patefield.Scott@epa.gov>
Cc: North, Alexis <North.Alexis@epa.gov>
Subject: RE: Waiving reports under NSPS

Scott & Alex –

The annual OOOO/OOOOa reports are coming up as a discussion topic again in context of revised rulemaking – EPA has been asked for an extension of the public comment period to look over the annual reports submitted since those requested for the national FOIA, so that more info could be gleaned for cost/benefit analysis (particularly OOOOa LDAR).

Ex. 5 Deliberative Process (DP)

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***** BACKGROUND *****

Amy Branning, OGC, points out the following:

Ex. 5 Attorney Client (AC)

----- this contradicts the direction provided by Amy Hambrick to CDPHE:

From: Hambrick, Amy
Sent: Friday, November 16, 2018 7:39 AM
To: Beeler, Cindy <Beeler.Cindy@epa.gov>
Subject: RE: NSPS OOOOa Question

That is my understanding.

Amy Hambrick
U.S. Environmental Protection Agency
(919)541-0964

From: Beeler, Cindy
Sent: Thursday, November 15, 2018 5:19 PM
To: Hambrick, Amy <Hambrick.Amy@epa.gov>
Subject: RE: NSPS OOOOa Question

Ex. 5 Deliberative Process (DP)

Cindy Beeler
US EPA Region 8
Tel: 303-312-6204
Beeler.Cindy@epa.gov

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From: Hambrick, Amy
Sent: Thursday, November 15, 2018 12:36 PM

To: Wright - CDPHE, Joseph <joseph.wright@state.co.us>; Beeler, Cindy <Beeler.Cindy@epa.gov>

Subject: RE: NSPS OOOOa Question

Joseph—

Ex. 5 Deliberative Process (DP)

Generally, we have been getting various questions on reporting, hopefully we understood question and provided clear answers. Let me know if you want to discuss further.

Regards,

Amy

Amy Hambrick
U.S. Environmental Protection Agency
(919)541-0964

Cindy Beeler
US EPA Region 8
Tel: 303-312-6204
Beeler.Cindy@epa.gov

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From: Patefield, Scott
Sent: Thursday, November 15, 2018 8:48 AM
To: Beeler, Cindy <Beeler.Cindy@epa.gov>
Cc: North, Alexis <North.Alexis@epa.gov>
Subject: RE: Waiving reports under NSPS

Ex. 5 Deliberative Process (DP)

From: Beeler, Cindy
Sent: Thursday, November 15, 2018 8:19 AM
To: Patefield, Scott <Patefield.Scott@epa.gov>
Cc: North, Alexis <North.Alexis@epa.gov>
Subject: Fw: Waiving reports under NSPS

Ex. 5 Deliberative Process (DP)

Thanks,

Cindy Beeler
US EPA Region 8
Tel: 303-312-6204
Beeler.Cindy@epa.gov

From: Patefield, Scott
Sent: Tuesday, October 23, 2018 9:38 AM
To: Ostrand, Laurie; Gallagher, Bob; Loiacono, Sara; North, Alexis; Stovern, Michael; Beeler, Cindy; Wilwerding, Joseph
Subject: RE: Waiving reports under NSPS

Ex. 5 Deliberative Process (DP)

From: Ostrand, Laurie
Sent: Tuesday, October 23, 2018 7:54 AM
To: Patefield, Scott <Patefield.Scott@epa.gov>; Gallagher, Bob <Gallagher.Bob@epa.gov>; Loiacono, Sara <loiacono.sara@epa.gov>; North, Alexis <North.Alexis@epa.gov>; Stovern, Michael <Stovern.Michael@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>
Cc: Ostrand, Laurie <Ostrand.Laurie@epa.gov>
Subject: FW: Waiving reports under NSPS

Hi All

I thought maybe we could talk about this at our staff meeting and decide out path forward. Unless Scott just wants to decide how we should proceed.

Thanks

Laurie Ostrand
U.S. Environmental Protection Agency
8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202
303-312-6437

From: Livingston, Peggy
Sent: Friday, October 19, 2018 11:37 AM
To: Ostrand, Laurie <Ostrand.Laurie@epa.gov>
Subject: RE: Waiving reports under NSPS

~~Attorney-Client Privileged~~

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

Peggy Livingston
Senior Enforcement Attorney
Region 8, U.S. EPA
1595 Wynkoop Street
Denver, CO 80202
303-312-6858 (phone)

From: Ostrand, Laurie
Sent: Thursday, October 18, 2018 10:00 AM
To: Livingston, Peggy <Livingston.Peggy@epa.gov>
Cc: Ostrand, Laurie <Ostrand.Laurie@epa.gov>
Subject: Waiving reports under NSPS

Hi Peggy

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

Attached is an email from Sonya Moore with copies of regional delegations 7-2, and 7-124.

If you're around tomorrow perhaps we can talk about this.

Thanks

Laurie Ostrand
U.S. Environmental Protection Agency
8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202
303-312-6437

From: Ostrand, Laurie
Sent: Thursday, October 18, 2018 8:31 AM
To: Beeler, Cindy <Beeler.Cindy@epa.gov>
Cc: Loiacono, Sara <loiacono.sara@epa.gov>; North, Alexis <North.Alexis@epa.gov>; Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>; Stovern, Michael <Stovern.Michael@epa.gov>; Gallagher, Bob <Gallagher.Bob@epa.gov>; Ostrand, Laurie <Ostrand.Laurie@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>
Subject: RE: NSPS OOOO Implementation Workgroup - Delegation of NSPS to R8 States Include Waiver for Sending R8 Req'd Reports?

Hi Cindy

I have done a bit of research on delegations and reporting under Parts 60 and 63.

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

Laurie Ostrand
U.S. Environmental Protection Agency
8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202
303-312-6437

From: Beeler, Cindy
Sent: Wednesday, October 17, 2018 2:08 PM
To: Smith, Claudia <Smith.Claudia@epa.gov>; Fulton, Abby <Fulton.Abbey@epa.gov>; North, Alexis <North.Alexis@epa.gov>; Loiacono, Sara <loiacono.sara@epa.gov>; Ostrand, Laurie <Ostrand.Laurie@epa.gov>
Subject: FW: NSPS OOOO Implementation Workgroup - Delegation of NSPS to R8 States Include Waiver for Sending R8 Req'd Reports?

Ex. 5 Deliberative Process (DP)

Cindy Beeler
US EPA Region 8
Tel: 303-312-6204
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From: Mia, Marcia

Sent: Wednesday, October 17, 2018 2:03 PM

To: Beeler, Cindy <Beeler.Cindy@epa.gov>; augustine, bruce <augustine.bruce@epa.gov>; Buenning, Hans <Buenning.Hans@epa.gov>; Carey, Angela <carey.angela@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Cheever, Robert <cheever.robert@epa.gov>; Eisele, Adam <Eisele.Adam@epa.gov>; Garwood, Gerri <Garwood.Gerri@epa.gov>; Goff, Keith <Goff.Keith@epa.gov>; Hambrick, Amy <Hambrick.Amy@epa.gov>; Howard, Jodi <Howard.Jodi@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Johnson, Steffan <johnson.steffan@epa.gov>; Kaleri, Cynthia <kaleri.cynthia@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Lindsey, William <Lindsey.William@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Magyar, Raymond <Magyar.Raymond@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>; Ostrand, Laurie <Ostrand.Laurie@epa.gov>; Patel, Shilpa <patel.shilpa@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>; Shine, Brenda <Shine.Brenda@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>; Tate, Samuel <Tate.Samuel@epa.gov>; Thompson, Lisa <Thompson.Lisa@epa.gov>; Topinka, Natalie <topinka.natalie@epa.gov>; Vazquez, Natalia <Vazquez.Natalia@epa.gov>; Vyas, Himanshu <vyas.himanshu@epa.gov>; Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>; Witt, Jon <Witt.Jon@epa.gov>; Willard, Erin <Willard.ErinM@epa.gov>

Cc: Loiacono, Sara <loiacono.sara@epa.gov>

Subject: RE: NSPS OOOO Implementation Workgroup

Re: Regional waiver for receipt of notifications - I found in it in the NESHAP just as we hung up. I don't see a similar waiver for the NSPS so maybe it is handled under the state delegation process?

§63.9 Notification requirements.

(a) Applicability and general information. (1) The applicability of this section is set out in §63.1(a)(4).

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(4)(i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in §63.13).

(ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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-----Original Appointment-----

From: Beeler, Cindy

Sent: Monday, June 04, 2018 11:06 AM

To: Beeler, Cindy; augustine, bruce; Buenning, Hans; Carey, Angela; Chapman, Apple; Cheever, Robert; Eisele, Adam; Garwood, Gerri; Goff, Keith; Hambrick, Amy; Howard, Jodi; Hoyt, Daniel; Johnson, Steffan; Kaleri, Cynthia; Kenney, James; Kler, Denis; Lindsey, William; Lischinsky, Robert; Loukeris, Constantinos; Magyar, Raymond; Marsh, Karen; Mia, Marcia; Ostrand, Laurie; Patel, Shilpa; Pavitt, John; Shine, Brenda; Smith, Claudia; Tate, Samuel; Thompson, Lisa; Topinka, Natalie; Vazquez, Natalia; Vyas, Himanshu; Wilwerding, Joseph; Witosky, Matthew; Witt, Jon; Willard, Erin

Cc: Loiacono, Sara

Subject: NSPS OOOO Implementation Workgroup

When: Wednesday, October 17, 2018 1:00 PM-2:00 PM (UTC-07:00) Mountain Time (US & Canada).

Where: Skype Meeting

10/1/18 Update ...

1. Question from Denis Kler, R4 - compliance date to install controls

1) Denis Kler Question

From: Kler, Denis

Sent: Monday, October 1, 2018 7:51 AM

Subject: NSPS OOOO compliance date to install controls

Team,

What is the compliance date for a tank with a potential to emit below 6 tons per year when tank was installed in September 2014, and then according to the company the stream changed (age of well and lack of active drilling) and now the emissions from the tank are estimated to be 31.3 tons per year (sample collected on April 2016 and software conducted in May 2016)?

According to 60.5370(a) , it seems the company would have to be in compliance upon start up, but 60.5395(d)(1)(i) indicates that the required emission reductions must be achieved within 60 days after start up. In my opinion, 60 days to design and install controls seems a little tight, so 60.5410 seems to allow for one year to demonstrate initial compliance. See regulations below

Background

EPA inspected several EQT well sites in Kentucky, and sent an information request letter to the company for well sites that were subject to NSPS OOOO. In the company's 114 response, the company provided the NSPS OOOO annual reports. In a report dated January 12, 2017, the company indicated that an 8,220-gallon produced fluids tank PTE increased and that controls would be installed by end of 2017. In a report dated January 12, 2018, the company stated that they are performing the necessary engineering and installation of controls to comply with NSPS OOOO requirements.

Regulations

§60.5370 When must I comply with this subpart?

(a) You must be in compliance with the standards of this subpart no later than October 15, 2012 or upon startup, whichever is later.

§60.5395 What standards apply to storage vessel affected facilities?

(d) You must comply with the control requirements of paragraph (d)(1) of this section unless you meet the conditions specified in paragraph (d)(2) of this section.

(1) Reduce VOC emissions by 95.0 percent according to the schedule specified in (d)(1)(i) and (ii) of this section.

(i) For each Group 2 storage vessel affected facility, you must achieve the required emissions reductions by April 15, 2014, or within 60 days after startup, whichever is later, except as otherwise provided below in paragraph (f) of this section. For storage vessel affected facilities receiving liquids pursuant to the standards for gas well affected facilities in §60.5375, you must achieve the required emissions reductions within 60 days after startup of production as defined in §60.5430.

§60.5410 How do I demonstrate initial compliance with the standards for my gas well affected facility, my centrifugal compressor affected facility, my reciprocating compressor affected facility, my pneumatic controller affected facility, my storage vessel affected facility, and my equipment leaks and sweetening unit affected facilities at onshore natural gas processing plants?

You must determine initial compliance with the standards for each affected facility using the requirements in paragraphs (a) through (i) of this section. The initial compliance period begins on October 15, 2012, or upon initial startup, whichever is later, and ends no later than one year after the initial startup date for your affected facility or no later than one year after October 15, 2012. The initial compliance period may be less than one full year.

Denis B. Kler

U.S. EPA Region 4

APTMD/AETB/North Air Enforcement and Toxics Section

Work: 404.562.9199

AGENDA:

- Send items in, Team!

→ Join Skype Meeting

This is an online meeting for Skype for Business, the professional meetings and communications app formerly known as Lync.

Join by Phone

Ex. 6 Personal Privacy (PP)

Help
